



DEPARTMENT OF PERSONNEL

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MEMO PERD #22/99

May 20, 1999

**PERSONNEL COMMISSION MEETING
MINUTES OF APRIL 9, 1999**

I. CALL TO ORDER

The Personnel Commission was called to order by Chairman Manos at 9:08 a.m., April 9, 1999, at the Gaming Control Board, Las Vegas. Members present: Chairman Ted Manos, Commissioner Claudette Enus, and Commissioner James Skaggs. Also present were: Jeanne Greene and Carol Thomas from the Department of Personnel and Jim Spencer representing the Attorney General's office.

II. ADOPTION OF AGENDA

Commissioner Skaggs' motion to approve the agenda was seconded by Commissioner Enus and unanimously carried.

III. MINUTES OF PREVIOUS MEETING

The minutes of February 11, 1999, Personnel Commission meeting were approved by acclamation.

IV. GRANDFATHERED REAPPOINTMENT RIGHTS

Scott Mayne, Administrative Services Officer III
Health Care Financing and Policy Division - Nevada Medicaid Office

Scott Mayne requested the written examination for the fiscal management classes be waived for individuals seeking reappointment to those classes. He felt that taking an entry level test for a position he had previously held was unfair.

Linda Covelli, Employee Representative, State of Nevada Employees Association, added that Mr. Mayne's impeccable service record clearly supported his request to reapply for the position he formerly held without any further testing.

Citing NAC 284.404, Jim Spencer, Sr. Deputy Attorney General, stated that in order to be reappointed to a position previously held, the individual must meet the *current* minimum qualifications. The Department of Personnel has been interpreting the regulation uniformly since 1984, and Mr. Mayne was requesting a change in that regulation.

Discussion continued on the interpretation of the regulation. Commissioner Enus asked Jeanne Greene what would happen if individuals were excluded from meeting minimum qualifications for positions previously held if their performance ratings were average or greater and State Personnel determined there was no significant change in the position. Jim Spencer felt that this would be a basis for more appeals and also stated he didn't feel that accommodating Mr. Mayne's request was worth the number of problems it would create over time.

There being no further discussion, Commissioner Enus' motion to deny Mr. Mayne's appeal was seconded by Commissioner Skaggs and unanimously carried.

V. CLASSIFICATION APPEALS

A. Sandra Cannon, Linda Felices, Margaret Ward, DMV Services Technician IV's *Department of Motor Vehicles and Public Safety - Reno Registration*

This item was reintroduced after being tabled at the February 11, 1999, Personnel Commission meeting. Alison Reardon, Employee Representative, State of Nevada Employees Association, represented the appellants who were asking for reclassification to a DMV Services Supervisor I. Ms. Reardon made comparisons between those Reno positions and similar positions in Las Vegas which were upgraded to DMV Services Supervisor I. She stated the Department of Personnel based their decision strictly on volume and that the appellants were not given consideration for handling money, giving budgetary input, writing correspondence, participating in management decisions, and opening/closing the office. The appellants also implement policies and procedures, train staff, initiate disciplinary action up to written reprimands, and write performance evaluations.

Ron Foster, Personnel Analyst, Department of Personnel, clarified that the appellants were requesting a classification equal to their supervisors, and the classification decision affecting the appellants was based on complexity not volume. He explained the DMV Services Supervisor I's in Reno and Las Vegas draft correspondence for the Governor's

signature; write, interpret and implement policies and procedures; compile and provide justification for budgets; have full responsibility for a program area; implement disciplinary action up to termination; monitor overages and shortages in revenue collections; and resolve more complex problems and issues. Mr. Foster stated the appellants do not perform these same functions. The DMV Technician IV's are counter supervisors and have less managerial duties and responsibilities as compared to the DMV Supervisor I's.

Donna West, Assistant Chief of Driver's License, explained the history of the differences between the North and South office structures. In order to accommodate the growth in staff, the former Driver/Motor Vehicle Technician III's in Las Vegas were performing duties of DMV Supervisor I's. The same growth was not experienced in the Reno area. DMV Supervisor I's in Las Vegas must handle larger teams and broader duties.

Discussion continued on the similarities and differences of the two regions and the duties and responsibilities of the positions.

There being no further discussion, Commissioner Skaggs made a motion to deny the appeal based on the reporting relationships. There was no second to the motion. Commissioner Enus made a motion to approve the appeal because she felt there was no real basis to deny it. Chairman Manos seconded the motion. The motion carried with Commissioner Skaggs opposed.

B. Gary Stagliano, Chief of Recovery Services and Investigations

Department of Human Resources, Welfare Division, Information Systems

Gary Stagliano requested an increase from grade 39 to grade 41 because he was performing new, complex duties and responsibilities which were outside his current classification. He described them as follows:

1. Manage Medicaid Estate Recovery program which required a different range of expertise, probate laws, recovery statutes, and working with two deputies attorney general;
2. Provide desegregated data reports on time to the federal government;
3. Implement and provide training on the NOMADS automated program;
4. Supervise 30 additional staff involved in the NOMADS project;
5. Oversee the federal tax intercept program;
6. Establish a central repository of disqualified welfare recipients;
7. Investigate warrant replacements;
8. Manage the Parental Responsibility program; and
9. Manage the TANF Fraud Control program.

Mr. Stagliano stated the above duties were new in addition to his previous duties which he continues to perform.

Ruth Jones, Personnel Officer, Welfare Division, stated she supported upward reclassification to a grade 40 and felt the Social Welfare Manager Chief series was an appropriate classification for this position. She explained the NOMADS project was a much broader computer system than described in Mr. Stagliano's current class specification.

Wally Voskuil, Supervisory Personnel Analyst, Department of Personnel, stated significant change had not occurred in this position because Mr. Stagliano did not perform the new duties a majority of the time. He explained that Mr. Stagliano was reclassified in May 1992, from a grade 37 to grade 39, because it was determined the level of complexity and scope of responsibility had increased from unit supervision to statewide program administration. As a result, the Chief of Recovery Services and Investigations, grade 39, was created to include responsibility for planning, organizing and directing recovery investigations and conducting internal audit activities. Mr. Stagliano's NPD-19 indicates he performs these duties 80% of the time. The duties and responsibilities for the NOMADS project is a training function and compares favorably with a Training Officer II, grade 36. The addition of programs similar in complexity to those described in the class specification did not provide a basis for upward reclassification.

Peter Long, Personnel Analyst, Department of Personnel, explained that Mr. Stagliano's position didn't compare with Social Welfare Program Chief positions within the Welfare Division because he did not develop or implement policy for social welfare programs. He was performing recovery and investigation for those programs only.

Discussion continued on the temporary status of the NOMADS project, the 30 additional employees, and the best classification of Mr. Stagliano's position.

There being no further discussion, Commissioner Skaggs' motion to deny the appeal was seconded by Commissioner Enus and unanimously carried.

C. Judith Hotham, Program Officer I
Secretary of State's Office - Las Vegas

Judith Hotham was requesting reclassification to Program Officer III. She was accompanied by Don Reis, Chief Deputy Secretary of State, who supported her appeal. Ms. Hotham stated that Program Officer I's typically oversee one program; whereas, she currently oversees five program areas: commercial recordings, security, elections, administration and notary. She is responsible for ensuring the goals and objectives of the

Secretary of State's office are implemented and carried out including budget input, work process development to obtain efficient service, technology development and computer program enhancements. She directly oversees accounting, purchasing, contracting, and workflow functions of the Security Division in Las Vegas and Reno and the Commercial Recordings Division in Las Vegas. She is the media contact for arranging interviews and appearances. She interacts with elected officials, department administrators, candidates filing for public office and the general public. She supervises ten clerical staff in two divisions, grades 29 and below.

Mr. Reis explained Ms. Hotham's duties had grown and the complexity had increased. He stated that both he and the Secretary of State recommended an upgrade of Ms. Hotham's position and gave examples of her invaluable contributions to his office.

Ken Goodly, Personnel Analyst, Department of Personnel, explained that Ms. Hotham's NPD-19 requested reclassification from Program Officer I, grade 31, to Administrative Services Officer I, grade 37. After the original determination, the appellant requested reclassification to a higher level within the Program Officer series. He further explained the position was reclassified from a Management Assistant IV, grade 29, to a Program Officer I, grade 31, in 1995. Mr. Goodly compared Ms. Hotham's duties to those of other Program Officers in State service. He clarified that Ms. Hotham provides full supervision for three people within two divisions, the Program Assistant IV's, grade 29, are the subject matter experts and provide full supervision over their subordinate clerical staff. These Program Assistant IV's also prepare budget requests and recommendations for legislative changes.

There being no further questions, Commissioner Skagg's motion to deny the appeal was seconded by Commissioner Enus and unanimously carried. Commissioner Enus stated there was still some confusion regarding the number of people supervised and who had full supervisory responsibility. She felt that a greater effort should be made to resolve these types of issues.

D. Loren Chapulin, Correctional Officer represented by SNEA
Southern Desert Correctional Center

Mr. Chapulin was represented by Jeanine Elliott-Lake, Senior Employee Representative, State of Nevada Employees Association. He requested reclassification to Senior Correctional Officer because he consistently performed the duties and responsibilities of that position. Mr. Chapulin indicated he organizes, directs and trains Correctional Officer Trainees as needed, directs and supervises the work assignments of inmates in lock down units, executes and maintains an inmate exercise log and segregation log of movement and security, assigns cells, assures that medical problems are reported and taken care of, sorts

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and delivers inmate mail, re-routes undelivered mail to the proper location, issues toiletries to inmates, and prepares brass slips and other paperwork as needed. He also ensures that extra duty assignments are performed by disciplinary inmates, conducts negative counts and picture counts, inventories and issues inmates store supplies, and ensures that medical, school, work, and court appointments are kept by inmates. Mr. Chapulin is currently assigned as a relief duty officer.

Ken Goodly, Personnel Analyst, Department of Personnel, explained that Mr. Chapulin did not have ongoing supervisory responsibility for other correctional officers. As a journey level correctional officer, the appellant was expected to train less experienced officers in routine tasks.

Warden O'Halloran of Southern Desert Correctional Center stated that Mr. Chapulin's assignment as a search and escort officer was not a senior position on the swing shift, and it was a daily function of all staff to help train less experienced officers.

Commissioner Enus' motion to deny the appeal was seconded by Commissioner Skaggs and unanimously carried.

E. 19 Workers' Compensation Program Specialist I's represented by SNEA

Employer's Insurance Company of Nevada (EICON)

Gail Anderson, Valora Bush, Melonae Cook, Frank Czech, Valerie Duke, Selene Erives, Angela Evans, Wanda Glover, Yvonne Griebbling, Irma Hernandez, Clarence Jerido, Pat Lintz, Vicki Lomenick, Eleise Macri, Rebecca Morgan, Deirdre Parker, Karen Roby, Donna Stewart, and Janine Weaver

Jeanine Elliott-Lake, Senior Employee Representative, State of Nevada Employees Association, represented the group's request for reclassification to Workers' Compensation Program Specialist III or V, grades 32 or 34. Ms. Lake cited an EICON e-mail exhibit which indicated there was no difference between the grade 34's and 28's with the exception that the 34's review and sign. The reorganization of insurance services had duty overlaps, and the appellants were performing higher level duties on a continuing basis.

Appellant Deirdre Parker explained their appeal was based on the reorganization of the agency. Prior to that, the Workers' Compensation Program Specialist I's reported to Workers' Compensation Program Specialist V's. After the reorganization, they reported to team leaders, Workers' Compensation Program Supervisor IV's, grade 38. The primary function of the appellants is to establish workers' compensation policies for new customers; however, they were currently handling policy renewals which was a task previously performed by the Workers' Compensation Program Specialist V's. The Workers'

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Compensation Program Specialist III's and V's perform the same duties as the appellants except for the establishment of new accounts.

Appellant Rebecca Morgan added the new performance standards state they only assist with accounts because the Workers' Compensation Program Specialist III's and V's have the overall responsibility of opening accounts. However, it is the appellants who open the accounts. She presented an exhibit signed by Mr. Fred Klund which stated the appellants have that overall responsibility. That exhibit also specified that the duties were conducted without direct supervision with moderate assistance provided from other staff.

Appellant Yvonne Griebeling explained that as subject matter experts they had trained newly hired Workers' Compensation Program Specialist III's and V's.

Appellant Melonae Cook added the Workers' Compensation Program Specialist III's and V's previously handled more complex problems. Work was assigned by the Workers' Compensation Program Supervisor IV to the Workers' Compensation Program Specialist III who in turn assigned work the Workers' Compensation Program Specialist I's. Currently, she handles problems from start to finish.

Discussion continued on defining the differences between the levels. It was clarified that the purpose of Workers' Compensation Program Specialist III's was to provide work direction to Workers' Compensation Program Specialist I's; however, the differences were not succinct.

Ms. Sam Ryan, Personnel Manager, EICON-Las Vegas, explained the current organization was established to bring EICON into the competitive marketplace. She stated there was no significant change to the appellants' positions since last reviewed in 1995. Ms. Ryan further explained that supervisors and subordinates were learning the same duties at the same time but at no time were the appellants assuming new responsibilities which would lead to reclassification. She stated the appellants' duties were in direct alignment with the current class specifications.

Mr. Fred Klund, Workers' Compensation Supervisor IV, stated the Workers' Compensation Program Specialist III's on his team monitor the progress of cancellations, renewals and applications and delegate work.

Discussion continued on the issue of which positions perform field work.

Mr. Roger Mowbray, Manager Loss Prevention and Project Manager of Project Complete, stated it was the intent that the Workers' Compensation Program Specialist III's be lead workers and the Workers' Compensation Program Specialist V's perform field work. Mr.

Klund added that some teams may use Workers' Compensation Program Specialist III's to deliver policies to smaller accounts, whereas, other teams would use a Workers' Compensation Program Specialist V.

Peggy Berryman, Personnel Analyst, Department of Personnel, added that basically the Workers' Compensation Program Specialist I's were entering data, verifying completeness of applications, processing cancellations and reinstatements, and searching for duplicate submissions. The Workers' Compensation Program Specialist III's were preparing and presenting material for prospective and renewing customers, working with brokers and agents identifying and satisfying needs of clients, and managing accounts in special insurance programs.

Ms. Parker explained that some of those duties were not in effect at the time of the audit.

Commissioner Skaggs motioned for the Department of Personnel and EICON to work out an agreement with the appellants and define the duties of Workers' Compensation Program Specialist III's and I's. Commissioner Enus seconded the motion. Chairman Manos tabled the issue until the next meeting of the Personnel Commission unless a satisfactory solution could be found. The motion to table this item unanimously carried.

VI. UNCONTESTED CLASSIFICATION ACTION REPORT

No action required.

VII. SELECTIVE CERTIFICATION

No action required.

VIII. COMMENTS BY THE GENERAL PUBLIC

There were none.

VIX. SELECT DATE FOR NEXT MEETING

Meeting to be held in Las Vegas, Nevada on June 4, 1999, commencing at 9:00 a.m.

X. ADJOURNMENT

Commissioners Skaggs' motion to adjourn the meeting was seconded by Commissioner Enus and unanimously carried.